

502 KAR 35:030. Quality of information reported to the Kentucky Missing Child Information Center.

RELATES TO: KRS 17.450, 17.460

STATUTORY AUTHORITY: KRS 15A.060, 17.080, 17.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 17.450(8) provides that the Secretary of Justice may issue administrative regulations in order to provide for the orderly receipt and/or retrieval of missing child information. This administrative regulation establishes entry and retrieval of missing child information procedures.

Section 1. Only law enforcement agencies as defined in 502 KAR 35:010(4) shall be allowed to enter, change existing information or retrieve information from the files of the Missing Child Information Center. Initial entry or modification of existing missing child information shall only be accomplished by the submission of the Kentucky Missing Persons Report Form to the Missing Child Information Center. Each submitted Kentucky Missing Persons Report Form shall be as complete as possible and list the submitting law enforcement officer's name as well as the authorizing law enforcement agency.

Section 2. A parent or guardian may enter or retrieve missing child information directly to or from the Missing Child Information Center on his child when the law enforcement agency of jurisdiction has refused to enter or retrieve such missing child information. The parent or guardian of the missing child that has been denied service by a law enforcement agency may directly contact the Kentucky Missing Child Information Center for assistance in the initial entry, modification thereof, or retrieval of information relating to his or her missing child. The Missing Child Information Center shall immediately notify the State Police Post, which serves the area, to initiate an investigation on the missing child.

Section 3. Affidavit Certifying Noncompliance with KRS 17.450 by a Law Enforcement Agency. The parent or guardian attesting that a law enforcement agency has not rendered the appropriate service as outlined in KRS 17.450 or 17.460 shall be required to file a formal affidavit outlining the circumstances surrounding the failure of the law enforcement agency to provide service. Copies of said affidavit shall be forwarded to the chief administrative officer of the agency denying service in addition to the State Police Post which will conduct the investigation on the missing child.

AFFIDAVIT Comes _____, after being duly sworn and states for his/her affidavit as follows: 1. My name is _____ and I reside at _____. 2. I am the mother/father/guardian of _____, a child/mentally incompetent or disabled individual. 3. _____ has been missing since _____. 4. I requested that the _____ (police agency) _____ (address) enter my child into the Kentucky Missing Child Information Center Network on _____ (date). Officer _____ refused to do so because _____. 5. I request that the Kentucky State Police enter this information into this network immediately.

Signature
Subscribed and sworn to before me by _____ this _____ day of _____, 19____, at City of _____, _____ County, Kentucky.

Notary Public -
State at Large My commission expires _____.